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Proposed bills would broaden bottle laws

Each May, John Kennedy volunteers in his hometown of Pittsfield to clean up roadside debris as part of Green Up Day.

He and a half-dozen faithful helpers spend a morning walking an 8-mile stretch of Route 100 picking up cigarette butts, cans and bottles.

The beer and soda containers are worth 5 cents each, but dozens are discarded along the road anyway.

"They just seem to chuck them. They'd rather someone else pick them up than bother (redeeming them)," Kennedy said. "I'm shocked because it's our own highways. ... It's one of the revelations that is not too reassuring about our fellow citizens."

Legislation has been proposed to help keep bottles and cans off the roadsides and out of landfills by increasing deposit fees from 5 cents to 10 cents or more, and to broaden the kinds of containers accepted by redemption centers to include plastic water, juice, iced tea and sports drink containers, which now make up about a quarter of the beverage market.

Sen. James Jeffords, I-Vt., has been trying to introduce a national bottle bill, or National Beverage Producer Responsibility Act, since he was elected to the U.S. House in 1975. The bill has been opposed by beverage manufacturers.

Jeffords will introduce a similar bill again this session. He believes the law would lead to an 80 percent recycling rate for all beverage containers.

"If we could raise the nation's recycling rate to 80 percent, we would save the equivalent of 300 million barrels of oil over the next 10 years and eliminate four million tons of greenhouse gas emissions annually," Jeffords argued when he last introduced the bill in 2003. "States that have enacted bottle bills also have benefited by reducing roadside litter by up to 84 percent."

Last week, Jeffords said in an e-mailed statement that "Recycling is a simple way to help our environment and our economy: It creates jobs,

decreases roadside litter, saves energy and allows reuse of precious natural resources. While Vermont has long recognized the importance of recycling, many other states have not. It should not take a major oil crisis to highlight the value of this legislation."

Vermont's bottle bill, the second in the nation, was enacted in 1972. Eleven states in all – California, Connecticut, Delaware, Hawaii, Iowa, Maine, Massachusetts, Michigan, New York, Oregon and Vermont – now have such laws in place. Most require consumers to pay a 5-cent deposit for each bottle at the cash register for beer and soft drinks. Consumers get their deposits back when they return the empties to a redemption center. Vermont and Maine give 15 cents for liquor bottles. And Maine, California and Hawaii have expanded their bills to include water, juice, sports drinks and other non-carbonated beverages, according to the Container Recycling Institute, a Washington, D.C.-based nonprofit dedicated to reducing container and packaging waste.

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The Vermont Legislature's Web page shows nine bills – six in the House and three in the Senate – introduced last year regarding expanding some aspect of Vermont's bottle bill.

Washington County Sen. Bill Doyle's annual Town Meeting Day survey found that 85 percent of respondents are in favor of expanding Vermont's bottle bill. Environmental groups favor the measure, but some industry representatives say a broader bottle bill would not reduce littering.

What all sides seem to agree on is that improvements to the current system must be made before the law is expanded.

Redemption center owners would like to see an increase in the 3-cent-per-bottle handling fee beverage distributors pay them for collecting and sorting cans and bottles. The state's 104 certified redemption centers favor a measure, which is gaining momentum in the Legislature, that would require such an increase.

The Agency of Natural Resources is negotiating with beverage distributors and redemption centers on an agreement regarding

handling fees.

"There will probably be action in the Statehouse on the handler fee this year," said Andrea Cohen, solid waste program manager for the Department of Environmental Conservation.

Legislation would have to be introduced to address deposit increases, co-mingling bottles from different distributors and \$2 million in unclaimed deposits.

"We're not prepared to talk about expanding it to juice and sports drinks until we know the system is working OK," Cohen said.

Vermont's handling fees have not risen since 1988.

"I don't know anyone, anywhere, who works without a raise in almost 20 years," said Donna Allen, an owner of the Chester Redemption Center.

Because of rising labor and operations costs, redemption centers say they can't make ends meet for what beverage distributors pay per bottle under the state law.

Allen estimates her business loses \$70,000 a year on redemption business. That's felt in Allen and her husband's salaries. He made nothing last year. She earned less than \$10,000 in 2005, she said. Both work more than 40 hours a week at the family business.

"You don't go into business to lose money," said Allen.

If the handler fee doesn't rise this year, said Allen, "I'm out of business." She's now looking for another use for the redemption center building and as of last week has started closing one day a week.

"It's at the point now where we have to look at ways to cut corners," agreed Gilles Moreau, owner of M&M Beverage Centers in South Barre, Montpelier, Randolph and Brattleboro.

His business has cut back its hours. "In light of them not giving us a raise ... we're cramming more business into less hours," said Moreau. He also subsidizes his redemption business with his retail customers.

Allen said it will take a handling fee of 6 cents or even 8 cents a can or bottle for her to be successful, but Moreau said a 1- or 2-cent increase

is more realistic.

Certainly beverage distributors, like Pepsi-Cola Bottling Co. in South Burlington, are advocating for the "the least possible increase," on-premise manager Joe Flynn said.

The distributor is expecting an increase in handling fees this legislative session – an increase that is likely to be passed onto the consumer.

"Vermont currently mandates among the highest handling fees in the United States," Flynn said. Only Maine is higher, allowing 3.5 cents for some containers. Other states have set handler fees between 1 cent and 2.25 cents. "While we may not want to see any increase, we understand it's a political reality."

Pepsi is working with redemption centers and the state to reach a compromise. Other parts of a larger bottle bill will be harder fought. Flynn argued that raising the deposit from 5 cents to 10 cents and expanding the bill to include non-carbonated beverages would cause "huge" problems.

"You have a huge potential for fraud, over-redemption," Flynn said, explaining that consumers from New Hampshire, New York and Massachusetts would cross state lines to redeem bottles in Vermont if the state expanded its bottle bill or required higher deposits.

Bob Harrington, owner of Barre's Beverage Baron, agreed that expanding the bill would cause problems.

"I don't want to see added bottles. We've got to sort out this handler fee issue first," Harrington said.

Members of the Vermont Grocers Association are split on increased handling fees, but they support the Agency of Natural Resources analysis of the issue, association president Jim Harrison said. Increasing the deposit is another matter.

"We're generally opposed. We feel there is already a high return rate," Harrison said.

Vermont's return rate is estimated at 85 percent. Paul Burns, executive director of Vermont Public Interest Research Group, said an expanded bill would capture more recycling and discourage littering.

Harrison says littering may not be related to the 5-cent deposit. Most litterbugs, he says, are drivers drinking alcohol who don't want to bring their empties home.